

AO 442 (Rev. 12/85) Warrant for Arrest

Felony

United States District Court

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

Ramiro Torres (aka Julio C. Gonzalez
San Benito, TX)

WARRANT FOR ARREST

CASE NUMBER: *B-08-138 MJ**A-08-M-48(1)*To: The United States Marshal
and any Authorized United States Officer

COPY

YOU ARE HEREBY COMMANDED to arrest Ramiro Torres

Name _____

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging him or her with (brief description of offense)

knowingly and unlawfully possess with the intent to distribute a controlled substance listed under schedule I, Title II of the Controlled Substances Act, to wit: approximately 14.97 kilograms of marijuana, in violation of Title 21, United States Code, Section(s) 841(a)(1) and

knowingly use a communication facility, The United States Mail, in facilitating the commission of an act constituting a felony

in violation of Title 21

United States Code, Section(s) 843(b)

Felix Recio

Name of Issuing Officer

FRecio

Signature of Officer

U. S. MAGISTRATE JUDGE

Title of Issuing Officer

2-11-08

Brownsville, TX

Date and Location

Bail fixed at \$

*NO BOND*by *Felix Recio, U.S. Mag. Judge*

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

Felony

United States District Court

United States District Court
Southern District of Texas
FILED

SOUTHERN DISTRICT OF TEXAS

FEB 11 2008

UNITED STATES OF AMERICA

V.

1). Ramiro Torres (Aka Julio C. Gonzalez);
Yob 1966; Harlingen, Tx

CRIMINAL COMPLAINT

CASE NUMBER: *B-08-138MJ*

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 6, 2008 in Cameron county, in theSouthern District of Texas defendants(s) did, (Track Statutory Language of Offense)

knowingly and unlawfully possess with the intent to distribute a controlled substance listed under schedule I, Title II of the Controlled Substances Act, to wit: approximately 14.97 kilograms of marijuana, in violation of Title 21, United States Code, Section(s) 841(a)(1) and

knowingly use a communication facility, The United States Mail, in facilitating the commission of an act constituting a felony

in violation of Title 21 United States Code, Section(s) 843(b)

I further state that I am a(n) U.S. POSTAL INSPECTOR and that this complaint is based on the following facts:

Official Title

SEE ATTACHED AFFIDAVIT

 Yes No*Ramiro Torres*
Signature of Complainant

Sworn to before me and subscribed in my presence,

February 11, 2008

Date

Felix Recio, U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

Felix Recio
Signature of Judicial Officer

B-08-138-MJ

COUNTY OF CAMERON

*

*

STATE OF TEXAS

*

I, Roxanne Dukes, having been duly sworn, do hereby depose and state:

1. I am a United States Postal Inspector, currently assigned to the Houston Division Office in McAllen, Texas. As part of my duties as a Prohibited Mailing Specialist, I investigate the use of the U. S. Mails to illegally mail and receive controlled substances and drug trafficking instrumentalities, in violation of Title 21, United States Code, Sections 841 (a) (1), 843 (b), 846, 853 (a), and 881 (a) (6). I have participated in investigations, which have resulted in the arrest of individuals who have received and distributed controlled substances, as well as the seizure of the illegal drugs.
2. Investigations by Postal Inspectors and other federal, state and local law enforcement officials indicate that the area of South Texas, sometimes referred to as "the Valley," is a significant crossing point for illegal drugs into the United States of America. The U. S. Postal Service is one of the means used for transporting both the illegal controlled substances and the money used to pay for those illegal controlled substances. Numerous parcels found to contain illegal controlled substances have been mailed from the Texas Rio Grande Valley for delivery in other cities in the United States.
3. The U. S. Postal Inspection Service conducts a continuous drug interdiction program at the McAllen, TX, Processing and Distribution Center. In July 2007, Postal Inspectors in McAllen, TX identified two Express Mail parcels, which were suspected to contain

narcotics. The parcels were mailed from the La Feria, TX Main Post Office to a recipient in Austin, TX. The information from the parcels is as follows:

Parcel #1

Express Mail #: EB368428626US

Addressee:
Julio C. Gonzalez
8800 N IH-35 Apt. 3075
Austin, TX 78753

Return Addressee:
Jose Gonzalez
153 Arroyo St.
La Feria, TX 78559

Postmarked: July 18, 2007

Weight: 29 lbs. 8.4 oz.

Parcel #2:

Express Mail #: EB368428630US

Addressee:
Julio C. Gonzalez
8800 N IH-35 Apt. 3075
Austin, TX 78753

Return Addressee:
Jose Gonzalez
153 Arroyo St.
La Feria, TX 78559

Postmarked: July 18, 2007

Weight: 28 lbs. 7.6 oz.

4. In July 2007, the aforementioned Express Mail parcels were referred to Postal Inspectors in Austin, TX, for further investigation. Search warrants for the parcels were obtained and upon execution, the parcels were found to contain an approximate combined weight of 50 pounds of a green leafy substance which field tested positively for marijuana.

5. J. Concepcion, Investigative Support Analyst with the U.S. Postal Inspection Service, conducted a review of postal records and identified numerous Express Mail labels bearing the same exact delivery address in Austin, TX. These additional Express Mail parcels had been mailed from post offices located in the Rio Grande Valley area. Specifically, the parcels were mailed from the La Feria, Rio Hondo, and San Benito, TX Post Offices, with the vast majority originating in San Benito.

6. Further investigation revealed that from December 2006, to January 15, 2008, approximately ninety-two (92) Express Mail parcels, including the two interdicted in July 2007, were mailed to Julio C. Gonzalez, 8800 N. IH-35 Apt 3075, Austin, TX, 78753. The return addresses listed on the Express Mail parcels were discovered to be fictitious or they bore valid addresses where the sender's name was not associated with the address. The gross weight of the ninety-two (92) parcels totaled approximately 1,849 pounds.

7. On February 6, 2008, a narcotic detection canine at the U.S. Border Patrol check point in Falfurrias, TX, alerted to the presence of narcotics on a United States Postal Service trailer enroute to San Antonio, TX from McAllen, TX. M. Martinez-Partida, Postal Inspector, McAllen Domicile, McAllen, TX, provided the trailer security identifiers to Border Patrol officers and it was determined the sealed trailer had not been tampered with, negating the possibility of other items being inserted into the truck, particularly undocumented immigrants or narcotics. The truck was allowed to proceed to the San Antonio General Mail Facility, San Antonio, TX, with the understanding that a Postal Inspector in San Antonio, TX, would review the contents upon the vehicles arrival.

8. D. Garcia, Postal Inspector, San Antonio Domicile, San Antonio, TX, met the aforementioned postal truck as it arrived at the San Antonio General Mail Facility. While reviewing the contents of the truck, Postal Inspector Garcia identified two Express Mail parcels #EB046340558US and EB046340561US, that were addressed to 8800 N I.H. 35, Apt 3075, Austin, TX 78753. The packages were returned to the McAllen Domicile for further investigation.

9. Your Affiant reviewed the return addresses on Express Mail parcels #EB046340558US and EB046340561US, and determined that they were identical to fictitious return addresses used on six of the prior ninety-two (92) Express Mail mailing.

The two Express Mail parcels are described as follows:

Parcel #1:

Express Mail #: EB046340558US
Addressee: Julio C. Gonzalez
8800 N IH-35 Apt. 3075
Austin, TX 78753
Return Address: Rosi Gonzalez
30479 FM 510
San Benito, TX 78586
Postmarked: February 6, 2008
Weight: 14 lbs, 14 ozs.
Mailed From: San Benito, TX 78586

Parcel #2:

Express Mail #: EB046340561US
Addressee: Julio C. Gonzalez
8800 N IH-35 Apt. 3075
Austin, TX 78753
Return Address: Rosi Gonzalez

30479 FM 510
San Benito, TX 78586

Postmarked: February 6, 2008
Weight: 21 lbs. 8 ozs.
Mailed From: San Benito, TX 78586

10. On February 7, 2008, your Affiant obtained two federal search warrants, M08-0750-M and M08-0751-M, for the aforementioned parcels. Upon execution of the search warrants, the parcels were found to contain a combined weight of approximately 33 pounds of a green leafy substance which field tested positively for marijuana.

11. On February 8, 2008, your Affiant along with Postal Inspectors in Austin, TX, conducted a controlled delivery operation of the two parcels at 8800 N I.H. 35, Austin, TX at approximately 10:30 am. The male individual, who later identified himself as Ramiro Torres, was apprehended by Postal Inspectors after taking possession of Express Mail parcel #EB046340561US and its contents. Prior to taking possession of the Express Mail parcel, Ramiro Torres signed the name "Julio C. Gonzalez" on the PS Form 3849, *Delivery Notice/Reminder/Receipt*, a postal document acknowledging receipt of a mail piece. At the time of his apprehension, Mr. Torres was in possession of an Ohio Identification Card, #SP436919, in the name of "Julio C. Gonzalez", that bore an image similar to that of Mr. Torres.

12. Subsequently, Ramiro Torres was interviewed by your Affiant and M. Rodriguez, Postal Inspector, after being advised of his Constitutional Rights. Mr. Torres claimed he was paid by a male associate, named Ramiro (last name unknown), to pick up the packages

and take them to an unknown individual at a local grocery store. Mr. Torres denied knowing the contents of the packages. In addition, he claimed he was not involved in the mailing of the two parcels, #EB046340558US and #EB046340561US, nor the previous ninety-two (92) associated packages.

13. Mr. Torres signed a written consent form, permitting a search of his vehicle, a Chrysler PT Cruiser, which was in his possession at the time he was apprehended. The search resulted in the finding of the two Express Mail receipts and the cash receipt for Express Mail mailings #EB046340558US and #EB046340561US, which were for the mailing that occurred on February 6, 2008 at the San Benito Post Office, San Benito, TX.

14. Based on the facts set forth in this Affidavit, your Affiant believes there is sufficient probable cause for an arrest warrant to be issued for said suspected person, Ramiro Torres, also known as Julio C. Gonzalez, for being in violation of Title 21, United States Code, Sections 841(a)(1) and 843(b).

Roxanne Dukes
Roxanne Dukes
Postal Inspector

SWORN to and subscribed before me this 11th day of February 2008.

Felix Recio
Felix Recio
UNITED STATES MAGISTRATE JUDGE